

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BRANDON DALE LOWERY,

Plaintiff,

vs.

JOE LOMBARDO, et al.

Defendants.

Case No.: 2:24-cv-01117-GMN-DJA

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Pending before the Court is the Report and Recommendation (“R&R”), (ECF No. 8), of United States Magistrate Judge Daniel J. Albregts, which recommends dismissing Plaintiff’s case without prejudice. Plaintiff failed to file an amended complaint by the deadline and did not respond to the Order to Show Cause as to why the Court should not dismiss the action for failure to prosecute. (*See* Orders, ECF Nos. 5, 7).

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made if the Magistrate Judge’s findings and recommendations concern matters that may not be finally determined by a magistrate judge. D. Nev. R. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s R&R where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

1 Here, no objections were filed, and the deadline to do so has passed. (*See* R&R, ECF  
2 No. 8) (setting a November 13, 2024, deadline for objections).

3 Accordingly,

4 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 8), is  
5 **ACCEPTED and ADOPTED** in full.

6 **IT IS FURTHER ORDERED** that this case is **DISMISSED** without prejudice.

7 Dated this 19 day of November, 2024.

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Gloria M. Navarro, District Judge  
United States District Court  
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